

Joint Standing Committee on Agriculture, Conservation and Forestry

LD 53

An Act To Allow Experimentation in the Cultivation of Industrial Hemp

PUBLIC 61

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BULL BRYANT	OTP-AM	H-61

LD 53 proposed authorizing, but not requiring, the Director of the Maine Agricultural Experiment Station to develop and conduct a study to explore the feasibility of growing industrial hemp upon obtaining required federal permits. It proposed a definition of "industrial hemp."

Committee Amendment "A" (H-61) proposed revising the bill to make an affirmative defense to prosecution the fact that the substance possessed, furnished, trafficked in, cultivated or grown was industrial hemp, not marijuana. For an affirmative defense to be effective, the defendant would be required to prove by a preponderance of the evidence that the substance the prosecution alleges to be marijuana is actually industrial hemp. Without this amendment, the prosecution would have to prove that the substance was not industrial hemp in order to secure a conviction for a criminal marijuana violation. This amendment also proposed language to clarify that federal permits must be obtained prior to importing nonsterilized hemp seeds.

Enacted Law Summary

Public Law 2003, chapter 61 authorizes, but does not require, the Director of the Maine Agricultural Experiment Station to develop a study to explore the feasibility of growing industrial hemp in Maine. It requires appropriate federal permits to be obtained prior to undertaking such a study. It enacts a definition of "industrial hemp." It establishes an affirmative defense to prosecution under Maine's drug laws. A person charged with possessing, furnishing, trafficking in, cultivating or growing marijuana and alleging that the substance was industrial hemp would be required to prove by a preponderance of the evidence that the substance alleged to be marijuana was, in fact, industrial hemp and grown under and in compliance with a federal permit.

LD 85

An Act to Further Define a Strain of Maine Standardbred Horses

**PUBLIC 31
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCKENNEY MAYO	OTP-AM	H-17

LD 85 proposed amending the provision in statute, which authorizes the State Harness Racing Commission to define "Maine Standardbred horse" in rule.

Committee Amendment "A" (H-17) proposed replacing the bill. It proposed allowing the State Harness Racing Commission to register as a Maine Standardbred horse offspring produced in 2003, 2004 or 2005 if the offspring's sire was registered and stabled in Maine for breeding purposes during the year in which the insemination took place. It proposed requiring the State Harness Racing Commission to report to the joint standing committee of the Legislature having jurisdiction over agricultural matters on the breeding of Maine Standardbred horses and to make recommendations regarding the definition of "Maine Standardbred horse."

Enacted Law Summary

Public Law 2003, chapter 31 allows the State Harness Racing Commission to register as a Maine Standardbred horse offspring produced during a year in which the offspring's sire was registered and stabled in Maine for breeding purposes. This change allows the offspring of a mare inseminated during 2003, 2004 or 2005 with semen transported out of state to be registered and race as a Maine Standardbred. The State Harness Racing Commission is required to report no later than February 1, 2005 to the joint standing committee of the Legislature having jurisdiction over agricultural matters on the breeding of Maine Standardbred horses and to make recommendations regarding the definition of "Maine Standardbred horse."

Public Law 2003, chapter 31 was enacted as an emergency measure effective April 8, 2003.

LD 92 An Act to Require Joint Standing Committee Approval for Certain Purchases Proposed by the Land for Maine's Future Board ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SHERMAN	ONTP MAJ	
STANLEY	OTP-AM MIN	

LD 92 proposed requiring approval by the joint standing committee of the Legislature having jurisdiction over conservation matters for an acquisition by the Land for Maine's Future Board of land with an appraised value greater than \$250,000.

LD 94 An Act To Limit the Use of State Funds To Purchase Land or Conservation Easements ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JOY	ONTP MAJ	
	OTP-AM MIN	

LD 94 proposed requiring a state agency to be responsible for management and monitoring of land and interest in land acquired under the Land for Maine's Future program.

LD 176 An Act To Require the State To Hold Title to All Land and Easements Purchased with the Land for Maine's Future Fund ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CARR	ONTP	
WOODCOCK		

LD 176 proposed requiring cooperating entities that received funds for land acquisition under the Land for Maine's Future Board to transfer title to the land to the State.

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LD 181

An Act to Clarify the Definition of Livestock

PUBLIC 334

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TRAHAN HALL	OTP-AM	H-377

LD 181 proposed to expand the definition of livestock within the jurisdiction of the Department of Agriculture, Food and Rural Resources to include alpacas, bison, llamas, ostriches and exotic wildlife raised on farms.

Committee Amendment "A" (H-377) proposed to replace a term and specifically include other animals in the definition of "livestock" in the animal welfare laws and the laws pertaining to livestock dealers.

Enacted Law Summary

Public Law 2003, chapter 334 amends the definition of livestock within the jurisdiction of the Department of Agriculture, Food and Rural Resources to include bison, ratites, which include ostriches and emus, and members of the genus lama, which includes llamas and alpacas.

LD 245

An Act To Promote Consistent Protection of the State's Waters

PUBLIC 335

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PINEAU MARTIN	OTP-AM	H-378

LD 245 proposed to require landowners owning more than 10,000 acres of forest land to prepare and implement a plan to protect water resources from the impacts of timber harvesting. It proposed stipulating that such a plan would be a public record and requiring the Department of Conservation, Director of the Bureau of Forestry to include in the biennial state of the forest report a summary of progress in developing and implementing the plans.

Committee Amendment "A" (H-378) proposed replacing the bill and authorizing the Department of Conservation to proceed with rulemaking to implement a statewide standard for timber harvesting and timber harvesting activities in shoreland areas.

Enacted Law Summary

Public Law 2003, chapter 335 authorizes the Department of Conservation to proceed with rulemaking to implement a statewide standard for timber harvesting and timber harvesting activities in shoreland areas. It allows a municipality to retain a municipal ordinance pertaining to timber harvesting and timber harvesting activities in shoreland areas if the ordinance is consistent with laws and rules in effect December 31, 2005. The statewide standards must be adopted by October 1, 2003 with a delayed effective date of January 1, 2006. The Maine Land Use Regulation Commission, the Commissioner of Environmental Protection and the Board of Environmental Protection are directed to amend or repeal their rules as necessary to remove any provisions that duplicate or conflict with the statewide standards. It authorizes the Joint Standing Committee on Agriculture, Conservation and Forestry to report out legislation necessary to implement the statewide standard for timber

harvesting in shoreland areas or clarify the responsibilities of the Bureau of Forestry in administering and enforcing the standard.

LD 248 An Act To Amend the Laws Governing the Weighing of Wood ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON MARTIN	ONTP	

LD 248 proposed amending the wood measurement laws to compensate for weight loss in wood that was not weighed within 30 days of cutting during the summer months.

**LD 297 An Act to Provide for Proper Identification of Stray Cats by ONTP
Animal Shelters**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCKEE BRYANT	ONTP	

LD 297 proposed deleting the current requirement for microchip identification of a stray cat accepted at an animal shelter only when the cat was wearing a collar or had a notched or studded ear. It proposed microchip scanning of all stray cats accepted by shelters.

LD 300 An Act To Ban the Hunting of Animals in an Enclosed Area ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BULL	ONTP	

LD 300 proposed repealing provisions for the establishment and operation of commercial large game shooting areas. It also proposed removing the exemption in the animal cruelty laws for persons operating or hunting such areas, thus making it a Class D crime to operate or hunt in a large game shooting area.

**LD 315 An Act To Provide a Discount to Farmers Who Are Certified as ONTP
Organic Farmers and Lease Land from the State**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HUTTON GAGNON	ONTP	

LD 315 proposed providing a discounted lease fee for farmland acquired under the Land for Maine's Future program and leased for agricultural production when the lessee attained organic certification.

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LD 319

An Act to Reenact Standards for Road Construction for Forest Management Activities

PUBLIC 23

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CARR KNEELAND	OTP	

LD 319 proposed enacting language concerning permit by rule for road construction or maintenance that was repealed on August 1, 2002.

Enacted Law Summary

Public Law 2003, chapter 23 reenacts the permit by rule provision for road construction or maintenance associated with forest management activities that was repealed on August 1, 2002. For an eligible activity, the permit by rule is effective upon receipt by the Department of Environmental Protection of a completed notification form.

LD 327

Resolve, Requiring the Department of Agriculture, Food and Rural Resources To Adopt Rules Regarding Care and Treatment of Elephants

RESOLVE 41

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PENDLETON MCKEE	ONTP MAJ OTP-AM MIN	S-120 PENDLETON S-85

LD 327 proposed prohibiting a person from making available an elephant for use in a traveling exhibition or for the purpose of allowing an individual to ride, feed or have other physical contact not related to the care of the elephant.

Committee Amendment "A" (S-85), which was the minority report of the Joint Standing Committee on Agriculture, Conservation and Forestry, proposed to replace the original bill. It proposed allowing elephants to enter the state with traveling exhibitions but imposed certain conditions relating to the care of elephants and requiring an itinerary to be filed with the Department of Agriculture, Food and Rural Resources. It proposed prohibiting a person owning or having control of an elephant from allowing a member of the public to ride an elephant; and proposed penalties for violation of the laws pertaining specifically to elephants.

Senate Amendment "A" to Committee Amendment "A" (S-120) proposed striking the committee amendment and requiring the Department of Agriculture, Food and Rural Resources to adopt routine technical rules regarding the care and treatment of elephants based on standards of the Animal and Plant Health Inspection Service of the United States Department of Agriculture.

Enacted Law Summary

Resolve 2003, chapter 41 requires the Department of Agriculture, Food and Rural Resources to adopt routine technical rules regarding the care and treatment of elephants based on standards of the Animal and Plant Health Inspection Service of the United States Department of Agriculture.

LD 338 An Act to Stabilize the Maine Dairy Industry CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GAGNON MCKEE		

LD 338 proposes direct subsidy payments to the State's dairy farmers through the Maine Milk Pool when the basic price of milk at the farm falls below the average short-term cost of milk production in the State as determined by studies performed for the Maine Milk Commission. The bill proposes a supplemental appropriation of \$5,500,000 for this purpose in fiscal year 2002-03.

LD 348 An Act To Limit State Land Ownership ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SHOREY CLARK	ONTP MAJ OTP-AM MIN	

LD 348 proposed to limit publicly owned land in the State to no more than 20% of the total land area of the State or 33% of the land area in any county. The bill would have allowed the State to exceed the limit with the approval of 2/3 of the Legislature.

LD 360 An Act To Strengthen the Animal Control Laws PUBLIC 71

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HUTTON	OTP-AM	H-60

LD 360 proposed increasing the minimum and maximum allowable fines for violation of the uncontrolled dogs laws. The bill also proposed a minimum fine of \$250 for keeping a dangerous dog.

Committee Amendment "A" (H-60) proposed removing the section of the bill, which proposed increasing the fine for violation of the uncontrolled dog laws and amending the penalty for keeping a dangerous dog to specify that a fine is mandatory and may not be suspended.

Enacted Law Summary

Public Law 2003, chapter 71 adds a mandatory minimum fine of \$250 for keeping a dangerous dog and specifies that the fine may not be suspended. The maximum fine for keeping a dangerous dog is \$1,000, plus costs.

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LD 431 **An Act To Increase Educational Certification for Humane Agents and Animal Control Officers** **ONTP**

<u>Sponsor(s)</u> LAFOUNTAIN		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 431 proposed setting minimum educational requirements for certification and recertification of humane agents and animal control officers and proposed clarifying the authority of humane agents to serve civil and criminal process.

LD 538 **An Act to Reroute the Katahdin Trail** **ONTP**

<u>Sponsor(s)</u> STANLEY CLARK		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 538 proposed to designate a different highway route as the “Katahdin Trail.” The original trail was designated in 1957 along highways from Newport to Millinocket and then to Baxter State Park.

LD 570 **An Act To Eliminate a Defunct Account in the Department of Agriculture, Food and Rural Resources** **P & S 1
EMERGENCY**

<u>Sponsor(s)</u> SMITH N HALL		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-12
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LD 570 proposed depositing in the General Fund the balance remaining in the Dairy Farm Stabilization Fund within the Department of Agriculture, Food and Rural Resources.

Committee Amendment "A" (H-12) proposed adding a fiscal note to the bill.

Enacted Law Summary

Private and Special Law 2003, chapter 1 transfers to the General Fund the balance remaining in the Dairy Farm Stabilization Fund within the Department of Agriculture, Food and Rural Resources. The statutory authority for this fund was repealed in 1995.

Private and Special Law 2003, chapter 1 was enacted as an emergency measure effective March 20, 2003.

LD 593

An Act To Provide Temporary Emergency Relief to Maine Dairy Farmers

**P & S 2
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRYANT PIOTTI	OTP-AM	S-1

LD 593 proposed to provide for the allocation of funds to provide temporary emergency relief to Maine dairy farmers.

Committee Amendment "A" (S-1) proposed adding a fiscal note to the bill.

Enacted Law Summary

Private and Special Law 2003, chapter 2 provides for the allocation of funds to provide temporary emergency relief to Maine dairy farmers. See the enacted law summary for LD 1378 for other relief measures for Maine dairy farmers.

Private and Special Law 2003, chapter 2 was enacted as an emergency measure effective March 20, 2003.

LD 620

Resolve, To Allow Public Camping on Number 9 Lake in Aroostook County

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SHERMAN	ONTP MAJ OTP-AM MIN	

LD 620 proposed directing the Department of Conservation to allow camping on public lands adjacent to Number 9 Lake in Aroostook County.

Committee Amendment "A" (H-101), the minority report of the Joint Standing Committee on Agriculture, Conservation and Forestry, proposed to identify the Department of Inland Fisheries and Wildlife as the department responsible for the boat launch and area formerly used for camping on Number 9 Lake. The minority report was not adopted.

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LD 680

**Resolve, Directing the Department of Conservation To Create the
Kennebec River Historic Waterway**

RESOLVE 13

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COLWELL TREAT	OTP-AM	H-152

LD 680 proposed to direct the Department of Conservation to create the Kennebec River Historic Waterway from the former site of the Edwards Dam in Augusta to Popham Beach in Phippsburg.

Committee Amendment "A" (H-152) proposed extending the Kennebec River Historic Waterway designation to Fort Halifax in Winslow. It proposed expanding the number of agencies that the Department of Conservation is directed to work with and requiring the department to report to the Joint Standing Committee on Agriculture, Conservation and Forestry by January 31, 2004 on progress made in various elements of a plan for establishing recreational opportunities along the waterway.

Enacted Law Summary

Resolve 2003, chapter 13 directs the Department of Conservation to design and establish the Kennebec River Historic Waterway from Popham Beach in Phippsburg to Fort Halifax in Winslow and to report to the Joint Standing Committee on Agriculture, Conservation and Forestry by January 31, 2004 on progress made in various elements of the plan for increasing recreational opportunities along the waterway.

LD 702

An Act To Amend the Animal Welfare Laws

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCKEE BRYANT	ONTP	

LD 702 proposed requiring the owner or keeper of a dangerous dog to notify the local law enforcement agency if ownership of the dog was transferred or if the owner and dog moved to another place of residence. It proposed amending provisions regarding a municipality's responsibilities for animal control, increasing the minimum fine for violations of dog licensing laws and additional penalties for failure to comply with orders issued under the dangerous dog provisions. See the bill summary for LD 1545 for a summary of enacted provisions relating to animal welfare this session.

LD 714 **An Act To Establish the Allagash Waterway Advisory Council** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KNEELAND CLARK	ONTP	

LD 714 proposed requiring the Department of Conservation, Bureau of Parks and Lands to manage the Allagash Wilderness Waterway in accordance with the current management plan, that was adopted by the Department of Conservation on January 27, 1999. It proposed creating the Allagash Waterway Advisory Council and requiring that the council approved amendments to the plan. This bill also proposed designating rules adopted by the bureau for administration of the waterway as major substantive rules, subject to legislative review and approval.

LD 717 **An Act Related to the Sale of Personal Sports Mobiles** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JOY	ONTP	

LD 717 proposed dedicating fines for violations of Title 10, section 1243-A to the Snowmobile Trail Fund and the ATV Recreational Management Fund, both administered by the Department of Conservation. Title 10, section 1243-A prohibits a person from selling or offering for sale a new personal sports mobile unless that person possesses a franchise from the dealer of the personal sports mobile.

LD 723 **An Act To Require an Annual Report for the Allagash Wilderness Waterway** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCKEE BENNETT R	ONTP	

LD 723 proposed requiring the Director of the Bureau of Parks and Lands to submit an annual report relating to management and use of the Allagash Wilderness Waterway to the joint standing committee of jurisdiction.

LD 738 **An Act To Save Maine Dairy Farms** **CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCKEE BRYANT		

LD 738 proposes directing the Maine Milk Commission to establish a maximum rate of return for the retail sale of milk. It proposes allowing the commission to order a retail store to lower its prices when the commission determines that the maximum rate of return has been exceeded. It proposes requiring the owner or manager of a

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retail store to keep certain records and requiring the owner or manager of a retail store with daily sales in excess of 100 quarts of milk a day to submit monthly reports to the commission.

LD 759 **An Act Concerning Public Members of the Board of Pesticides Control** **ONTP**

<u>Sponsor(s)</u> EDER		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 759 proposed to increase the number of public members on the Board of Pesticides Control from 2 members to 4 members and proposed to require that the new members come from environmental and public health groups.

LD 777 **An Act To Amend the Laws Regarding the Location of the Wells National Estuarine Research Reserve** **P & S 11**

<u>Sponsor(s)</u> COLLINS CARPENTER		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-100
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LD 777 proposed to provide that the Wells National Estuarine Research Reserve contains lands or interests in land within the defined location of the reserve acquired from willing sellers or added to the reserve by agreement for the purpose of furthering the reserve's conservation, research or educational purposes. The bill also proposed to change references to the Bureau of Parks and Recreation and the Bureau of Public Lands to the Department of Conservation and to correct the reference to the legislative committee of jurisdiction.

Committee Amendment "A" (H-100) proposed to correct an error in the original Private and Special Law that refers to the Eldridge River. The correct reference is the Ogunquit River.

Enacted Law Summary

Private and Special Law 2003, chapter 11 amends the description of the location of the Wells National Estuarine Research Reserve to include lands or interests in land acquired from willing sellers or added to the reserve by agreement for the purpose of furthering the reserve's conservation, research or educational purposes. It requires the Wells National Estuarine Research Reserve Management Authority to provide a copy of its annual financial report to the joint standing committee of the Legislature having jurisdiction over conservation matters. This is a correction to designate the appropriate committee of jurisdiction to receive the report.

LD 824

Resolve, To Improve Fisheries Management in Hancock County

**DIED BETWEEN
BODIES**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUNLAP	OTP-AM MAJ ONTP MIN	

LD 824 proposed requiring the Department of Conservation to transfer jurisdiction over a parcel of land to the Department of Inland Fisheries and Wildlife for the purpose of constructing a public boat launch on Branch Lake in Hancock County.

Committee Amendment "A" (H-258), which was not adopted, proposed the majority report of the Joint Standing Committee on Agriculture, Conservation and Forestry. It proposed replacing the resolve to direct the Department of Conservation, Bureau of Parks and Lands to proceed with plans to construct a boat launch on Branch Lake in Ellsworth. It proposed requiring the boat launch to be constructed by November 1, 2003 and an access road from the Happy Town Road to be constructed and open to public traffic by October 1, 2004.

Senate Amendment "A" (S-113), which was not adopted, proposed to amend Committee Amendment "A" by striking the language that required the access road to be constructed and open to the public by October 1, 2004 and replacing it with language that required the road to be developed when funds became available.

LD 870

**An Act To Create Fairness in Funding the Wild Blueberry
Association of North America**

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TRAHAN	ONTP	

LD 870 proposed to prohibit the Wild Blueberry Commission of Maine from paying higher fees to the Wild Blueberry Association of North America than the Canadian members of the association pay, taking into account the current exchange rate for United States and Canadian currency.

LD 926

**An Act To Amend the Laws Governing the Bigelow Preserve To
Allow for Cross-country Skiing**

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCGLOCKLIN HATCH PH	ONTP	

LD 926 proposed amending Initiated Bill 1975, the laws establishing and governing the Bigelow Preserve, to permit cross-country skiing and the use of vehicles engaged in trail maintenance for cross-country skiing within the boundary of the Bigelow Preserve.

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LD 928

An Act Regarding the Sale and Protection of Ferrets

PUBLIC 262

<u>Sponsor(s)</u> MCKEE	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-296
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LD 928 proposed prohibiting a person, firm, corporation or other business entity from bringing into the State or offering for sale any ferret that is less than 8 weeks of age and weighs less than 450 grams.

Committee Amendment "A" (H-296) proposed deleting the weight requirement in the bill and specifying that the age of a ferret would be determined by tooth development. It also proposed specifying that a ferret less than 8 weeks in age may not be brought into the state unless it is transported with its mother.

Enacted Law Summary

Public Law 2003, chapter 262 prohibits the importation or sale of a ferret that is less than 8 weeks of age as determined by tooth development.

LD 933

An Act To Require Public Notification of Herbicide Applications in the State's Great Ponds

ONTP

<u>Sponsor(s)</u> MCKEE MARTIN	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 933 proposed requiring the Commissioner of Environmental Protection to hold a public hearing prior to applying a herbicide to a body of water in the State. It proposed specifying that the public hearing be held in a municipality bordering the body of water no earlier than 30 days and no later than 15 days prior to the application, and that all information relative to the application be presented at the hearing.

LD 952

An Act To Establish a Maine-resident-only Reservation Period for State Park Campsites

ONTP

<u>Sponsor(s)</u> PERRY J	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 952 proposed that Maine residents only be allowed to make reservations for campsites at state parks during the first week the reservation system is open.

LD 1055 An Act To Promote Enforcement Training for Bureau of Parks and ONTP
Lands Staff

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KOFFMAN EDMONDS	ONTP	

LD 1055, a concept draft pursuant to Joint Rule 208, proposed increasing enforcement training for rangers and staff of the Department of Conservation Department of Conservation, Bureau of Parks and Lands. The bill proposed to require the bureau to annually train its field staff in law enforcement practices sufficient to police public lands and issue arrest warrants for infractions of state laws. The bill proposed requiring an annual report to the Legislature describing the type of training offered, participation in the training program and an assessment of and recommendations for increasing the effectiveness of the training.

LD 1056 Resolve, To Ensure Orderly Planning for the Allagash Wilderness ONTP
Waterway

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KOFFMAN EDMONDS	ONTP	

LD 1056 proposed prohibiting the Department of Conservation, including the Maine Land Use Regulation Commission, the Department of Environmental Protection and any other state agency from developing any new access points in the Allagash Wilderness Waterway until the management plan review process was completed in February 2004.

LD 1098 An Act Regarding Mandated Reporters and Child Abuse PUBLIC 145

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRENNAN KANE	OTP-AM	S-84

LD 1098 proposed to require Department of Agriculture, Food and Rural Resources humane agents to report to the Department of Health and Human Services investigations of animal abuse in homes where children and elderly dependent people live.

Committee Amendment "A" (S-84) proposed to add state humane agents to the list of professionals required to report to the Department of Human Services when they knew or had reasonable cause to suspect that a child or a dependent or incapacitated adult had been or was likely to be abused.

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Enacted Law Summary

Public Law 2003,chapter 145 adds state humane agents to the list of professionals required to report to the Department of Human Services when they know or have reasonable cause to suspect that a child has been or is likely to be abused. It also adds state humane agents to the list of professionals required to report to the Department of Human Services when they know or have reasonable cause to suspect that a dependent or incapacitated adult has been abused or neglected.

LD 1106 **An Act To Require Wilderness Management Training for the Manager of the Allagash Wilderness Waterway** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCKEE BENNETT R	ONTP	

LD 1106 proposed requiring the manager of the Allagash Wilderness Waterway to receive training in the management of wilderness areas.

LD 1114 **An Act To Allow the Sale of Wood Chips by Uncertified Persons** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MOODY	ONTP	

LD 1114, a concept draft pursuant to Joint Rule 208, proposed requiring paper and logging companies to purchase forest products for chipping and other purposes from small wood harvesters in Maine who are not certified in sustainable forestry practices.

LD 1142 **An Act To Restructure the Power and Duties within the Animal Welfare Act** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LAVERRIERE-BOUC	ONTP	

LD 1142 proposed transferring authority for enforcing the Animal Welfare Act from the Commissioner of Agriculture, Food and Rural Resources to the newly created chief humane agent within the Department of Agriculture, Food and Rural Resources. It proposed requiring the chief humane agent to report to the joint standing committee of the Legislature having jurisdiction over agricultural matters and to the Animal Welfare Advisory Council. See the bill summary for LD 1545 for a summary of enacted provisions relating to animal welfare this session.

LD 1143**An Act Concerning Endangered and Invasive Plant Species****ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUNLAP BRYANT	ONTP	

LD 1143 proposed putting the official threatened and endangered plant list in statute and having the Legislature, upon recommendation of the Commissioner of Conservation, designate a species as a state endangered or state threatened species. The bill also proposed requiring the commissioner to establish and maintain a register of commercially available exotic invasive aquatic and terrestrial plants. It proposed using funds from the collection of fees for lake and river protection stickers to educate the public regarding the dangers of exotic invasive aquatic and terrestrial plants.

LD 1177**An Act To Preserve Public Access and Job Opportunities in the North Woods****DIED IN
CONCURRENCE**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COWGER BRYANT	ONTP MAJ OTP-AM MIN	

LD 1177 proposed the “Maine Woods Act”. It proposed establishing the Maine Woods Board as a public instrumentality of the State with independent bonding authority. As proposed, the board would have functioned to purchase and maintain tracts of land managed as commercial forestland. It proposed acquisition criteria based on the land’s suitability for practicing sustainable forestry and providing public recreational opportunities.

LD 1194**An Act To Improve Services of Animal Shelters****ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAWYER	ONTP	

LD 1194 proposed establishing a process for animal shelters to accept and dispose of pets whose owners were incarcerated or hospitalized. It proposed to reduce from 8 to 6 the number of days a shelter is required to hold a dog prior to euthanasia. This bill also proposed to make it a Class E crime to possess an animal in violation of a court order prohibiting a person from possessing an animal as part of the penalty imposed for a cruelty to animals conviction. See the bill summary for LD 1545 for a summary of provisions enacted this session relating to animal welfare.

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LD 1215

An Act To Amend the Animal Welfare Laws and Improve Funding

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MILLETT	ONTP	

LD 1215 proposed eliminating the licensing requirements and fees for dogs while retaining the requirement for dogs to be immunized against rabies. It proposed imposing a 3% tax on the wholesale sale of domestic animal food and dedicating the revenue to the Animal Welfare Fund. It proposed a review of immunization provisions and the operation of the excise tax by June 30, 2007. See the bill summary for LD 1545 for a summary of provisions enacted this session relating to animal welfare.

LD 1219

**Resolve, To Ensure the Integrity and Enhance the Marketing of
Maine Agricultural Crops**

**DIED BETWEEN
BODIES**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCKEE DAMON	OTP-AM	H-376

LD 1219 proposed establishing a 3-year moratorium on planting or cultivating genetically engineered plant parts, seeds or plants out of doors and a moratorium on planting or cultivating genetically engineered plant parts, seeds or plants in greenhouses for commercial crop production. During the moratorium, the Department of Agriculture, Food and Rural Resources would be required to prepare a marketing plan that uses the moratorium as a promotional tool for Maine's agricultural products.

Committee Amendment "A" (H-376) proposed replacing the bill with a directive to the Commissioner of Agriculture, Food and Rural Resources to convene a working group. The working group would develop an approach for and discuss the potential of a marketing initiative to promote Maine agricultural crops as free of genetically engineered materials. It proposed authorizing the Joint Standing Committee on Agriculture, Conservation and Forestry to report out legislation to the Second Regular Session of the 121st Legislature regarding measures to protect the integrity of genetically engineered and nongenetically engineered crops.

Senate Amendment "A" (S-229) proposed replacing the bill and committee amendment with a directive to the Commissioner of Agriculture, Food and Rural Resources to convene a working group to study the potential benefits of agricultural biotechnology. It proposed authorizing the Joint Standing Committee on Agriculture, Conservation and Forestry to report out legislation to the Second Regular Session of the 121st Legislature regarding its findings. Senate Amendment A was accepted in the Senate only.

LD 1228

**An Act To Address Concerns Regarding the Breeding and Sale of
Certain Small Mammals**

**PUBLIC 350
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCKEE	OTP-AM	H-448

LD 1228 proposed requiring a person who breeds guinea pigs to obtain a license from the Department of Agriculture, Food and Rural Resources and requiring pet shops and guinea pig breeding facilities to keep sales records. It also proposed prohibiting the sale of guinea pigs less than 8 weeks old.

Committee Amendment "A" (H-448) proposed replacing the bill. It proposed placing in statute certain record-keeping requirements that are in rule and directing the Commissioner of Agriculture, Food and Rural Resources to report to the Joint Standing Committee on Agriculture, Conservation and Forestry on the regulation of breeders and sellers of small mammals commonly kept as pets.

Enacted Law Summary

Public Law 2003, chapter 350 places in statute certain record-keeping requirements that are in rule, except that it also requires records to be kept on lagomorphs. It directs the Commissioner of Agriculture, Food and Rural Resources to report to the Joint Standing Committee on Agriculture, Conservation and Forestry no later than December 31st on the regulation of breeders and sellers of small mammals commonly kept as pets. It authorizes the committee to report out a bill during the Second Regular Session of the 121st Legislature regarding regulation of these breeders and sellers.

Public Law 2003, chapter 350 was enacted as an emergency measure effective May 30, 2003.

LD 1282

**An Act To Amend the Laws Governing Agricultural Marketing and
Bargaining**

PUBLIC 329

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN SMITH W	OTP-AM	S-160

LD 1282 proposed amendments to the laws governing agricultural marketing and bargaining. It proposed assessing nonmembers an association fair share fee equal to 75% of the amount charged to association members. Under current law, for matters submitted to arbitration, the arbitrator must choose between final offers of the parties. LD 1282 proposed allowing the arbitrator to choose between final offers or issue a decision within the parameters of the final offers of the parties. It proposed to specify that mediation of disputes between the handler and the qualified association may not continue for more than 3 consecutive days for annual crops. It proposed to require that the list of arbitrators submitted contain the names of only those arbitrators who are available for the specific pending arbitration and have expressed a willingness to serve.

Committee Amendment "A" (S-160) proposed distinguishing between nonmember producers who enter into contracts with a dealer or processor based on whether the contract was entered into before or after the association signed an agreement with the dealer or processor for the purposes of assessing a fair share fee. It proposed

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allowing a nonmember to choose whether the assessment would be deposited in a scholarship fund or remitted to the association. It proposed removing the provision allowing an arbitrator to issue a decision within the parameters of the final offer of the parties.

Enacted Law Summary

Public Law 2003, chapter 329 makes changes to the laws governing agricultural marketing and bargaining. It establishes a fair share fee at 50% of association member dues and distinguishes between nonmember producers who enter into contracts with a dealer or processor based on whether the contract was entered into before or after the association signed an agreement with the dealer or processor. It allows a nonmember signing a contract after the association's agreement is signed to choose between having that nonmember's fair share dues paid to the association or deposited in a scholarship fund established by the dealer or processor. It gives a nonmember signing a contract before the association's agreement is signed the option of having a fair share fee withheld and deposited in a scholarship fund established by the dealer or processor but requires a dealer or processor to withhold the fair share fee if the nonmember's contract changes after the association signs an agreement and the changes increase the value of the nonmember's contract.

It amends the provision for a 3-day limit for mediation of disputes between the handler and the qualified association for annual crops to specify that the 3 days must be consecutive business days. It requires that the list of arbitrators submitted contain the names of only those arbitrators who are available for the specific pending arbitration and have expressed a willingness to serve.

LD 1378

An Act To Provide Financial Relief for Maine Dairy Farmers

**PUBLIC 120
EMERGENCY**

Sponsor(s)
PIOTTI
BRYANT

Committee Report
OTP-AM

Amendments Adopted
H-271

LD 1378 proposed to allow money in the Agricultural Marketing Loan Fund to be used as security for, and to be applied to, payment of principal, interest and other amounts due on loans insured by the Finance Authority of Maine to eligible dairy farmers.

Committee Amendment "A" (H-271) proposed to allow the Commissioner of Agriculture, Food and Rural Resources to use the Agricultural Marketing Loan Fund to provide additional financial assistance to dairy farmers. It also proposed to transfer certain savings in other accounts within the department to the Maine Milk Commission for distribution to Maine milk producers. It also proposed to provide direct subsidy payments to the State's dairy farmers through the Maine Milk Pool in the event that the base price for milk falls below \$16.94 in any of the months from September 2003 to December 2003.

Enacted Law Summary

Public Law 2003, chapter 120 allows money in the Agricultural Marketing Loan Fund to be used as security for, and to be applied to, payment of principal, interest and other amounts due on loans insured by the Finance Authority of Maine to eligible dairy farmers. It allows the Commissioner of Agriculture, Food and Rural Resources to use the Agricultural Marketing Loan Fund to provide additional financial assistance to dairy farmers. It transfers certain savings in other accounts within the department to the Maine Milk Commission for distribution to Maine milk producers. It provides for direct subsidy payments to the State's dairy farmers through the Maine Milk Pool in the event that the base price for milk falls below \$16.94 in any of the months from September 2003 to December 2003. The amount distributed during this period may not exceed \$3,000,000. The Governor is directed to seek a general fund appropriation in the second session of the 121st Legislature if needed for the distributions.

Public Law 2003, chapter 120 was enacted as an emergency measure effective May 9, 2003.

LD 1398 An Act To Modify Water Well Reporting Requirements PUBLIC 175

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCKEE YOUNGBLOOD	OTP	

LD 1398 proposed to make the definition of the entity responsible for submitting water well information to the State consistent with other laws. It proposed to reduce the time allowed for a company to submit the information from 6 months to 30 days.

Enacted Law Summary

Public Law 2003, chapter 175 enacts a definition of “well drilling company” in Title 12 and makes a well drilling company the entity responsible for submitting water well information to the State. It reduces the time allowed for the company to submit the information from 6 months to 30 days, which is consistent with the time required by the Maine Water Well Commission.

LD 1400 An Act To Amend the Maine Pesticide Control Act of 1975 To PUBLIC 282 Increase the Pesticide Product Registration Fee

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVIELLO BRYANT	OTP-AM	H-339

LD 1400 proposed an increase in the annual pesticide registration fee from \$115to \$125 per product. Fees would go into the dedicated Pesticide Control Fund.

Committee Amendment "A" (H-339) proposed adding a fiscal note to the bill.

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Enacted Law Summary

Public Law 2003, chapter 282 increases the annual pesticide registration fee from \$115 to \$125 per product, to help fund the increased costs of salaries and benefits for staff to the Board of Pesticide Control.

LD 1407

An Act To Clarify the Timber Harvesting Notification Requirements

PUBLIC 345

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRYANT	OTP MAJ	H-385 TRAHAN
PINEAU	ONTP MIN	

LD 1407 proposed eliminating an exemption to the harvest notification requirement. Under current law a landowner does not have to notify the Bureau of Forestry of a harvest when the total area harvested on land owned by that landowner does not exceed either 2 or 5 acres, depending on the residual basal area of acceptable growing stock. The bill proposed to repeal this exemption.

House Amendment "A" (H-385) proposed instead to retain the exemption when the landowner qualifying for the exemption performs the harvesting.

Enacted Law Summary

Public Law 2003, chapter 345 amends the provisions for harvest notification to specify that the exemptions for certain 2 and 5 acres harvests apply only when the landowner performs the harvest.

LD 1430

An Act To Improve Farmer Participation in the Agricultural Marketing Loan Fund

PUBLIC 168

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PINEAU	OTP	
YOUNGBLOOD		

LD 1430 proposed changes to the provisions for obtaining a loan from the Agricultural Marketing Loan Fund administered by the Commissioner of Agriculture, Food and Rural Resources and the Finance Authority of Maine.

Enacted Law Summary

Public Law 2003, chapter 168 reduces the percentage of private funds needed to be eligible for a loan from the Agricultural Marketing Loan Fund from 10% to 5% of the total project cost. It increases the amount of project costs that may be covered by the State. It also directs the Commissioner of Agriculture, Food and Rural Resources to make a minimum of \$1,000,000 available from the Agricultural Marketing Loan Fund for loans to agricultural enterprises engaged in direct marketing. A similar provision was repealed December 31, 2002. The newly enacted provision has a repeal date of December 31, 2004.

LD 1447

**An Act To Improve Enforcement of the State's Natural Resource
Protection, Timber Theft and Trespass Laws**

PUBLIC 454

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PINEAU	OTP-AM	H-456 H-547 PINEAU

LD 1447 proposed authorizing certain employees of the Bureau of Forestry within the Department of Conservation to represent the bureau in District Court in matters regarding the administration and enforcement of the State's natural resources protection, timber theft and trespass laws.

Committee Amendment "A" (H-456) proposed specifying that forest rangers would be authorized to process the civil violations of forest notification and reporting requirements, trespass and unlawful cutting. It also proposed requiring a trucker or wood scaler to present a trip ticket or record of measurement to a forest ranger upon request.

House Amendment "B" to Committee Amendment "A" (H-547) proposed amending Committee Amendment "A" to strike the bill and retain only the provision in Committee Amendment "A" that requires a trucker or wood scaler to present a trip ticket or record of measurement. It proposed restricting the requirement for a truck driver to provide a forest ranger with the trip ticket to requests made at log yards and mill sites.

Enacted Law Summary

Public Law 2003, chapter 454 requires a truck driver upon request to present a copy of the trip ticket to a forest ranger in any log yard or mill site. It requires a wood scaler to present the record of measurement including the trip ticket or information contained on the trip ticket to a forest ranger upon request.

LD 1459

**An Act To Bring the State into Conformity with the National
Organic Program**

PUBLIC 220

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRYANT MCKEE	OTP-AM	S-83

LD 1459 proposed repealing provisions for the certification and labeling of foods as natural, organic or from Maine.

Committee Amendment "A" (S-83) proposed retaining provisions in the Maine Revised Statutes, Title 7, chapter 103, subchapter 1-A relating to the labeling of water sold in containers.

Enacted Law Summary

Public Law 2003, chapter 220 repeals the statutes relating to the certification and labeling of foods as natural, or organic. In October of 2002, the United States Department of Agriculture's Agricultural Marketing Service established standards for the production and handling of fresh and processed organic foods, as well as labels and

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labeling requirements for organic products. Accredited agencies certify compliance with the national organic standards. The State has chosen not to become accredited under the new federal program because of limited resources within the Department of Agriculture, Food and Rural Resources and to avoid competing with private entities that provide certification services.

LD 1461 **An Act To Improve Participation in the Farms for the Future Program** **PUBLIC 167**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCKEE BRYANT	OTP	

LD 1461 proposed changes to the eligibility criteria for participation in the Maine Farms for the Future Program.

Enacted Law Summary

Public Law 2003, chapter 167 eliminates the requirement that farmers enter into a farmland protection covenant with the State to receive state funding for development of a business plan. It also removes development pressure from the selection criteria used to award funds under the Maine Farms for the Future Program.

LD 1463 **An Act To Amend Maine's Arborist Licensing Laws** **PUBLIC 343**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCKEE BRYANT	OTP-AM	H-386

LD 1463 proposed several changes to Maine's arborist licensing laws to bring the current law into conformity with actual practices in the arborist profession and allow individuals who are certified by the International Society of Arboriculture, ISA, to be licensed in Maine. The ISA maintains a testing and certification process as rigorous as the Department of Agriculture, Food and Rural Resource's examination. The bill proposed authorizing the department to suspend, revoke or refuse to issue or renew an arborist license, if an arborist pursues a continued course of unprofessional conduct as demonstrated by repeated verified complaints against the licensed arborist.

Committee Amendment "A" (H-386) proposed to clarify that unprofessional conduct is conduct that violates the standards of practice for the arborist profession as established in rule.

Enacted Law Summary

Public Law 2003, chapter 343 simplifies the arborist licensing provisions and brings them into conformity with actual practices in the arborist profession. It allows the Department of Agriculture, Food and Rural Resources to waive the examination requirement when a nonresident applicant for an arborist's license is certified by the International Society of Arboriculture. It authorizes the department to suspend, revoke or refuse to issue or renew an arborist license, if an arborist repeatedly violates the standards of practice for the arborist profession as established in rule.

LD 1500**An Act To Protect the Small Forest Landowners****PUBLIC 346**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRYANT JODREY	OTP-AM	S-162

LD 1500 proposed making confidential addresses and other contact information collected by the Department of Conservation, Bureau of Forestry specifically for distributing forest management information to small forest landowners.

Committee Amendment "A" (S-162) proposed specifying that addresses and other contact information collected for the purpose of contacting forest owners are not a public record. This would allow the Department of Conservation, Bureau of Forestry to share the information but would not require the bureau to provide it.

Enacted Law Summary

Public Law 2003, chapter 346 specifies that addresses and other contact information collected for the purpose of contacting forest owners are not a public record. The Department of Conservation, Bureau of Forestry may share the information but is not required to provide it.

LD 1518**An Act To Improve Harvest Standards for Lands Purchased and Harvested within an 8-year Period** **CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCKEE EDMONDS		

LD 1518 proposes harvesting standards for land harvested within 8 years of purchase or purchase of the timber rights. It proposes requiring the landowner to have a harvest plan prepared prior to harvest and also requiring that a minimum basal area of trees of certain size and quality remain after harvest, unless one of the conditions specified in the bill exists.

LD 1531**An Act To Amend Provisions of the Submerged Lands Law****PUBLIC 254**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUDLEY YOUNGBLOOD	OTP-AM	H-275

LD 1531 proposed to increase the administrative fee for submerged lands easement applications and double the administrative fee for after-the-fact applications. The bill proposed to allow a portion of the Shore and Harbor Management Fund to be used for management of state-owned coastal islands and clarify the provisions by which a watercraft may be declared abandoned in coastal waters of the State. It also proposed explicit immunity from liability for actions taken by the State regarding removal and disposition of watercraft

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Committee Amendment "A" (H-275) proposed removing that section of the bill that proposed immunity from liability for actions taken by the State regarding removal and disposition of watercraft.

Enacted Law Summary

Public Law 2003, chapter 254 increases the administrative fee for submerged lands easement applications and doubles the administrative fee for after-the-fact applications. It authorizes a portion of the Shore and Harbor Management Fund to be used for management of state-owned coastal islands and clarifies the provisions by which a watercraft may be declared abandoned in coastal waters of the State.

LD 1543

An Act To Modify the Exemption for Compost under the Nutrient Management Law and the Nutrient Management Review Board's Authority To Hear Appeals

PUBLIC 283

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRYANT	OTP MAJ	
CARR	ONTP MIN	

LD 1543 proposed changes in the nutrient management laws. Current law allows any amount of compost material to be imported and used on a farm without triggering the requirement for a nutrient management plan. LD 1543 proposed requiring a plan when 100 tons or more of compost was brought onto a farm in a year, making it consistent with the requirements for manure imported onto a farm. It proposed changes to the duties of the Nutrient Management Review Board and a penalty for failure to implement best management practices that had been prescribed by the Department of Agriculture, Food and Rural Resources in response to a complaint about manure handling and storage.

Enacted Law Summary

Public Law 2003, chapter 283 requires a farm that brings 100 tons or more of compost in a year onto the farm to have a nutrient management plan. It gives the Nutrient Management Review Board within the Department of Agriculture, Food and Rural Resources the authority to hear appeals and resolve disputes involving issues related to site-specific best management practices. Currently the board has the authority to address only disputes that are manure or nutrient-related. It authorizes the appointment of up to 3 temporary members to the board.

It also adds a penalty to the law prohibiting improper handling of manure for failure to implement best management practices that have been prescribed by the Department of Agriculture, Food and Rural Resources in response to complaints about manure handling and storage.

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRYANT	OTP-AM MAJ	H-533 MCKEE
PINEAU	ONTP MIN	S-195

LD 1545 proposed increasing fees for dog licensing and animal facility licenses administrated by the Department of Agriculture, Food and Rural Resources. Dog licenses would be increased from \$7.50 to \$20 for dogs capable of producing young and from \$4 to \$10 for dogs incapable of producing young. The bill also proposed requiring that animal control officers appointed by municipalities pass a literacy test and complete a minimum of 8 hours basic training and 8 hours practical hands-on training to be certified by the Commissioner of Agriculture, Food and Rural Resources. The bill proposed additional training requirements for humane agents employed by the .

LD 1545 also proposed allowing the Commissioner of Agriculture, Food and Rural Resources to establish a pilot project for the registration of dogs via the Internet.

Committee Amendment "A" (S-195) proposed to:

1. Allow the Commissioner of Agriculture, Food and Rural Resources to accept funds and gifts for deposit in a separate account to enhance the animal welfare program;
2. Establish more comprehensive training requirements for humane agents;
3. Remove additional training requirements proposed for animal control officers;
4. Require a veterinarian statement in writing prior to the authorization of euthanasia by a humane agent, animal control officer or animal shelter authorizing euthanasia of a severely sick, severely injured or extremely vicious cat;
5. Establish a process for animal shelters to accept and dispose of pets whose owners are incarcerated or hospitalized;
6. Entitle an animal shelter to receive reimbursement for holding animals at the request or with the approval of the Department of Agriculture, Food and Rural Resources when the animal is held pending an investigation or disposition of an alleged violation of cruelty to animals laws;
7. Modify language in the bill authorizing the department to establish a process for licensing dogs using the Internet;
8. Reduce the proposed increases in dog license fees and allows municipalities to keep \$2 for dogs that are capable of producing young; and
9. Increase late fees, which remain with the municipality.

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House Amendment "A" to Committee Amendment "A" (H-533) proposed reducing the dog licenses fees proposed in Committee Amendment "A". H-533 proposed a license fee of \$10 for a dog capable of producing young and a license fee of \$6 for a dog that is incapable of producing young. It proposed removing the provision

in Committee Amendment "A" that allowed municipalities to retain \$2 per licensed dog capable of producing young.

Enacted Law Summary

Public Law 2003, chapter 405 increases fees for dog licenses and fees for various animal facility licenses, including breeding kennels, boarding kennels, pet shops, animal shelters and research institutions. Dog licenses are increased from \$7.50 to \$10 for dogs capable of producing young and from \$4 to \$6 for dogs incapable of producing young. Chapter 405 requires that humane agents employed by the Department of Agriculture, Food and Rural Resources complete a 100-hour in-service program at the Maine Criminal Justice Academy or a nationally recognized program dealing with animal welfare.

It authorizes the Commissioner of Agriculture, Food and Rural Resources to establish a pilot project for issuing dog licenses via the Internet and allows the commissioner to accept funds and gifts for deposit in a separate account to enhance the animal welfare program. It requires a veterinarian's statement in writing prior to a humane agent, animal control officer or animal shelter authorizing euthanasia of a severely sick, severely injured or extremely vicious cat. It establishes a process for animal shelters to accept and dispose of pets whose owners are incarcerated or hospitalized.

LD 1558 Resolve, Authorizing Certain Land Transactions by the Department RESOLVE 65
of Conservation, Bureau of Parks and Lands

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BUNKER	OTP-AM	H-432

LD 1558 proposed authorizing the conveyance of certain property by the Director of the Bureau of Parks and Lands within the Department of Conservation to SP Forests, L.L.C. for fair market value as established by an independent appraiser.

Committee Amendment "A" (H-432) proposed adding a fiscal note.

Enacted Law Summary

Resolve 2003, chapter 65 authorizes the conveyance of certain property by the Director of the Bureau of Parks and Lands within the Department of Conservation to SP Forests, L.L.C. for fair market value as established by an independent appraiser. The State will be acquiring land of greater fair market value and containing significantly greater public recreational opportunities. The Bureau of Parks and Lands is seeking funds from the Land for Maine's Future program and the Outdoor Heritage Fund to make up the net difference in fair market value between the properties being conveyed and those being acquired. The acquisitions include shore frontage on Sebois Lake in Lakeview Plantation, land abutting the East Machias River and an island in Rock Lake in Washington County.

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LD 1583

An Act Concerning the Animal Health and Disease Control Laws

PUBLIC 386

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRYANT PIOTTI	OTP-AM	S-187

LD 1583 proposed making administrative and technical changes to importation requirements for certain livestock. It proposed changes and clarifications in the standards for the licensing of deer and elk (cervid) farms. It proposed requiring the Commissioner of Agriculture, Food and Rural Resources to develop a chronic wasting disease surveillance program and a cattle health assurance program.

Committee Amendment "A" (S-187) proposed several technical changes and rewriting certain provisions in the bill for clarification. It proposed deleting language in the bill proposing fencing a minimum of 6 feet in height as the containment standard for large game shooting areas.

Enacted Law Summary

Public Law 2003, chapter 386 requires the Commissioner of Agriculture, Food and Rural Resources to develop a cattle health assurance program including an assessment plan for on-site evaluation of farms. It requires the commissioner to adopt routine technical rules for the administration of this program. It updates and clarifies standards for the licensing of deer and elk (cervid) farms. It requires the commissioner to develop a chronic wasting disease surveillance program.

LD 1616

An Act To Promote Stewardship of Forest Resources

PUBLIC 422

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COLWELL BRYANT	OTP-AM	H-512

LD 1616 proposed a definition of "liquidation harvesting". It proposed requiring the Commissioner of Conservation to provisionally adopt major substantive rules substantially prohibiting liquidation harvesting and to develop recommendations for additional solutions to address liquidation harvesting. It proposed requiring the Department of Conservation to provide a final report no later than January 2, 2004 to the Joint Standing Committee on Agriculture, Conservation and Forestry and authorizing the committee to report out a bill to the Second Regular Session of the 121st Legislature to implement the recommendations in the report.

Committee Amendment "A" (H-512) proposed requiring the Commissioner of Conservation to submit the provisionally adopted rules to the Legislature by February 1, 2004, the same date by which provisional adoption is required. It proposed directing the commissioner to seek input from logging professionals and representatives of financial institutions in addition to other parties specified in the bill.

Enacted Law Summary

Public Law 2003, chapter 422 defines "liquidation harvesting" and requires the Commissioner of Conservation to provisionally adopt major substantive rules to substantially eliminate liquidation harvesting. The rule must be

submitted to the Legislature by February 1, 2004. Chapter 422 specifies that the rule include appropriate exemptions for harvests covering small acreages, permitted land conversions and for land managed under an independent 3-rd party certification for sustainable forest management. It also requires the Commissioner of Conservation to solicit input from interested parties in developing recommendations for additional solutions to the issue of liquidation harvesting. It requires the Department of Conservation to provide a final report no later than January 2, 2004 to the Joint Standing Committee on Agriculture, Conservation and Forestry and authorizes the committee to report out a bill to the Second Regular Session of the 121st Legislature to implement the recommendations in the report.

HP 724 **JOINT STUDY ORDER – The Joint Standing Committee on ACF** **PASSED**
shall conduct a study of New Payment Models for the Logging
Industry

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON	OTP	S-263

Enacted Law Summary

House Paper 724 directs the Joint Standing Committee on Agriculture, Conservation and Forestry to conduct a study during authorized interim committee meetings on new payments models for the logging industry. More specifically, the committee is directed to examine how logging contractors and their employees are paid, the impact of public policies on forest management, and state labor and educational policies pertaining to logger apprenticeship programs. The committee is required to submit a report, including any legislation necessary to implement recommendations, to the Legislature no later than December 3, 2003.

SP 586 **JOINT ORDER – Directing the Office of Policy & Legal Analysis** **PASSED**
and the Office of the Revisor of Statutes to Recodify MRSA, Title 7

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRYANT		

Enacted Law Summary

Senate Paper 586 directs the Office of Policy and Legal Analysis and the Office of the Revisor of Statutes to prepare a bill that proposes the recodification of Maine Revised Statutes, Title 7. Title 7 contains laws relating to agriculture and animals. The offices are directed to reorganize the laws in Title 7, eliminate archaic terms and confusing language, update cross references and make technical changes to improve the readability and accessibility of the Title. The offices are directed to submit the proposed recodification bill to the joint standing committee having jurisdiction over agricultural matters no later than January 15, 2005.